AO 247 (02/08)   Order Regarding Motion for Sentence Reduction

# UNITED STATES DISTRICT COURT
## for the

District of Oregon

FILED 08 MAY 15 14:25USDC-ORP

| | |
|---|---|
| United States of America | ) |
| v. | ) |
| Mario Gonzalez-Zeferino | )  Case No: CR 06-168-01 HA |
| | )  USM No: 69352-065 |
| Date of Previous Judgment: 09/10/2007 | )  Stephen R. Sady |
| (Use Date of Last Amended Judgment if Applicable) | )  Defendant's Attorney |

### Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☑ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐DENIED.   ☑ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of __70__ months **is reduced to** __57__ .

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

| | | | | |
|---|---|---|---|---|
| Previous Offense Level: | 29 | Amended Offense Level: | 27 | |
| Criminal History Category: | I | Criminal History Category: | I | |
| Previous Guideline Range: | 87 to 108 months | Amended Guideline Range: | 70 to 87 months | |

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☑ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated __09/10/2007__ shall remain in effect.

**IT IS SO ORDERED.**

Order Date:  *May 15, 2008*

_____
Judge's signature

Effective Date: _____
(if different from order date)

Ancer L. Haggerty, Chief District Court Judge
Printed name and title